



ENVIRONMENTAL & REGULATORY SERVICES DIVISION
BUREAU OF PECFA
9316 North 107th Street
Milwaukee, Wisconsin 53224-1121
TTY: Contact Through Relay

Jim Doyle, Governor
Richard J. Leinenkugel, Secretary

Wisconsin Department of Commerce, Bureau of PECFA Bid Document

SECTION 1 - Scope of Work

The Bureau of PECFA is seeking competitive bids to perform remedial services for a petroleum release from a regulated petroleum product storage tank system. This bid is for a specified work scope. The site upon which bids are being solicited is:

Bid Round: 57

Comm #: 53086-9547-05-A
BRRTS #: 03-67-000972
Site Name: Slinger Service
Site Address: 305 East Washington Street, Slinger, 53086

Site Manager: Jim Delwiche
Address: 141 NW Barstow Street, Room 180
City, State Zip: Waukesha, WI 53188-3789
Phone: (262) 574-2140
e-mail: Jim.Delwiche@Wisconsin.gov

Bid Manager: Stephen D. Mueller
Address: 9316 North 107th Street
City, State Zip: Milwaukee, Wisconsin 53224-1121
Phone: (414) 357-4704
e-mail: Stephen.Mueller@Wisconsin.Gov

Bid-Start Date:	October 13, 2008
Questions must be received by (See Section 2 (B)):	October 27, 2008, 4:00 PM
Responses will be posted by (See Section 2 (B)):	November 14, 2008
Bid-End Date and Time:	November 28, 2008, 4:00 PM

The case file, including report(s) and other pertinent information upon which bids are being sought, are available for review at the Site Manager's location listed above. Please contact the Site Manager for an appointment to review the file.

Copies of report(s) and other pertinent information are available for purchase at the location listed below. If pertinent information is not available, please contact the Site Manager.

Fed Ex Kinkos-Milwaukee, 1703 N Farwell Ave, Milwaukee, WI 53202
Phone: (414) 272-2679 Fax: (414) 272-5329

SECTION 2 – Site-Specific Bid Requirements

General Comments

The former Kaul Gas Station (a.k.a. Slinger Service) site was a corner retail gasoline station that is currently developed as green space (parking lot and landscaped area). The gasoline station operated from 1973 to 1994. Four 4,000-gallon gasoline tanks and two fuel oil tanks were removed from separate excavations. The site investigation consisted of drilling 17 soil borings and installing 11 monitoring wells. The investigation concluded that there were approximately 21,000 cubic yards of soil that exceeded NR 720 RCLs and 1,400 cubic yards that exceeded NR 746 Table 1 and/or Table 2 concentrations.

Petroleum free product, or light non-aqueous phase liquid (LNAPL) was observed at MW-1 and MW-4 at thicknesses ranging to 1 foot. Depth to groundwater varies from 5 to 7 feet below grade within silt and sand deposits. Groundwater flow direction appears to range from southeast to southwest, but has a radial component in the source (former tank basin) area. The groundwater contaminant plume may intersect a major utility trench along the east property boundary that contains a sanitary sewer main with laterals to neighboring structures. However, only trace benzene concentrations have been detected in monitoring wells MW-30 and MW-31, which were installed within the trench in February 2002, after shutdown of the site's remediation system.

A soil vapor and groundwater extraction (SVE-GWE) system was installed at the site in 1998. The system was operated for approximately six months and was turned off in April 1999. It was reported that the system removed an estimated 3,500 lbs. of VOCs from the soil and groundwater. LNAPL thickness decreased during treatment system operation to almost non-detectable, but returned to pre-remediation thickness at MW-4 within 6 months after remedial system shutdown. LNAPL has not been observed at MW-1 since 1996.

An additional scope of work (SOW) was developed and publically bid by the DNR and Commerce in 2004 (bid round 31). The bid SOW was not completed. The following bid specifications include the remaining bid SOW that was not completed.

Minimum Remedial Requirements

1. Install **10 direct-push borings** to 12 feet below ground surface (bgs) to evaluate post-remedial system soil contamination levels, potential areas ("hot spots") of direct-contact concern (i.e., shallow [0-4 feet] soil contaminant concentrations that exceed NR 746, Wis. Admin. Code, Table 1 and 2 values), and possible presence and distribution of residual LNAPL. Install the borings near previous borings B-6, B-10, MW-4, and MW-12, and the former dispenser islands. Use the remaining borings to further evaluate and/or delineate "hot spot" areas and areas of suspected LNAPL.

Continuously sample all of the soil borings from the surface downward and field-screen for volatile contamination. Collect 2 to 3 soil samples from each boring for laboratory analysis of petroleum volatile organic compounds (PVOC) and naphthalene. The laboratory samples will be collected from 1) 2 feet bgs (to determine if the existing landscape might constitute a soil performance standard cover barrier); 2) the 3- to 4-foot depth interval; and 3) the zone of highest obvious contamination (typically the water table "smear zone").

Install small-diameter monitoring wells (mini-wells) screened across the water table in the soil borings and completed with filter packs, annular seals, protective covers, etc. The mini-wells will be used to evaluate the lateral extent of LNAPL and, therefore, must have sufficient diameter to allow insertion of a product measuring device (e.g., interface probe, clear bailer). Collect one groundwater sample from each mini-well for laboratory analysis of PVOCs and naphthalene. The mini-wells will be maintained indefinitely to allow LNAPL to equilibrate in each well. The mini-wells are not to be abandoned until approved by the DNR.

2. Monitor for LNAPL in MW-4 and any other wells in which it is encountered, on a monthly basis for 6 months. This will require inspecting wells MW-1, 2, 4, 7 and 12, and RW-1 and 2, and recording the groundwater and product surface elevations and the thickness of product measured.

Initiate task 2 concurrent with task 1 (above). If LNAPL is encountered, contact the DNR and/or Commerce while the drilling company remains on site to discuss collection of a representative soil sample from the approximate smear zone in two to three borings for laboratory analysis of grain-size distribution. Be prepared to collect LNAPL and underlying groundwater samples for laboratory analyses of the following fluid physical properties:

- LNAPL density (gm/cc) using ASTM D1481 at formation temperature,
- LNAPL viscosity (cp) using ASTM D445 at formation temperature, and
- Interfacial tensions (dyne/cm) using ASTM D971 for the following three pairs: air/water, air/LNAPL, and LNAPL/water.

Weathered LNAPL samples submitted for these analyses may require cleaning. Additional shipping and sample preparation/disposal costs may apply.

Appropriate alternative ASTM lab methods may be used other than those indicated above. Refer to API Publication 4711, *Methods for Determining Inputs to Environmental Petroleum Hydrocarbon Mobility and Recovery Models* (pg 13-16) for alternative methods and comments concerning their appropriate application.

3. Further evaluate potential receptors in the vicinity of the site. Although the area is on municipal water supply, determine if potable water wells remain at the properties surrounding the site. In addition, evaluate the risk to buried utilities surrounding and passing through the site. Discussion will include the depth of each utility trench in relation to the soil contamination and/or groundwater contaminant plume.
4. Collect two quarterly rounds of groundwater samples from monitoring wells MW-1, 2, 4, 7, 11, 12, 20-24, 30 and 31 to assess plume stability and remediation of residual contamination by natural attenuation. Laboratory analyze the groundwater samples from all the monitoring wells for PVOC and naphthalene, plus dissolved lead at MW-1, MW-4 and MW-12. Do not sample any well that contains more than a sheen of LNAPL, unless adequate procedures are implemented to prevent contamination of the groundwater sample by immiscible product.

Measure groundwater elevations in all monitoring wells in each round, reference groundwater elevations to mean sea level, and report the data (including historical sampling data) in table form. Prepare water table maps showing groundwater flow for each sampling round

5. Properly dispose of all wastes from all activities conducted under this bid scope. For bidding purposes, provide a unit cost for each waste type (soil, purge water) on Page 2 table of this bid specification. If necessary, the bid cap will be adjusted based on actual amounts of waste disposed.
6. After completion of the activities outlined above, prepare and submit a report to the WDNR (copy to Commerce) that documents the work completed, includes all required and customary data and documentation (including, but not limited to, results tables, isoconcentration and groundwater flow maps, lab reports and chain-of-custody forms, etc.). Based on the results of the soil boring program, calculate the remaining volumes of contaminated soil that exceed NR 746 Table 1 and 2 values. Depict the extent of these on a site map with one contour. Include your evaluation and recommendations for additional site remedial work required to meet regulatory closure criteria.

The report must be submitted no later than 11 months after a contract has been executed between the site owner (or responsible party) and the company contracted to conduct the bid scope of work.

Regarding the 2nd Page of the Bid Response:

If necessary, subsequent cost caps may be determined using page 2 following the successful completion of the activities under the initial cost cap. Approval shall be obtained through a request to Commerce for a change order. The request shall include total costs incurred to date under the existing cap. The subsequent cost cap amount may be adjusted up (or down) based on the outcome of the specified work activities.

To save costs, only portions of the case file are at the copy shop (text, figures, tables and boring logs). The entire file should be reviewed at the WDNR Waukesha office.

SECTION 3 - Reporting Timeframes

Within *60 days* of the Commerce notification of the maximum reimbursement amount, the responsible party (RP) must execute a written contract with one of the firms that submitted a bid. Failure to execute the written contract within this time will result in ineligibility of interest expenses incurred from the date of the reimbursement cap letter until a contract is executed and work commences at the site. Work must commence within *45 days* of signing a contract. There are specific reporting requirements in Comm 47.70 to monitor the progress of activities at each bid site and there may be additional reporting requirements outlined above. The consulting firm that is contracted to complete the scope of work is required to report the progress of this site to Commerce electronically on the web site at each of the following points:

1. Within fourteen days of executing or terminating a contract with the RP.
2. Three months after entering into the contract with the RP.
3. Twelve months after beginning the work in the successful bid, unless the project is completed before that time (point 6 applies).
4. Twelve months after submitting the previous report (point 3), unless the project is completed before that time (point 6 applies).
5. No later than 10 days after encountering a change in circumstances (the list of circumstances is in Comm 47.70 (3)).
6. No later than 30 days after completing the work.

7. As directed by Commerce.

If Commerce determines that the consulting firm is failing to make adequate progress to complete the scope of work, Commerce will notify the RP and may reduce the reimbursement to accurately reflect the work completed.

Claim Submittal

A claim must be submitted to Commerce within 120 days of submitting the report described in *Reporting Timeframe, point #6*. If a claim is not submitted by the deadline described above, interest costs from the date the report (point #6) is submitted to the date the claim is received will not be reimbursed to the claimant. The claim preparation cost must be included in the Total Bid Amount and is considered within the reimbursement cap.

Questions and Answers

Questions, answers and interpretations will be considered an amendment of this solicitation. All questions must be submitted in writing (fax and electronic mail submittals are acceptable) to the Bid Manager identified in Section 1 of this solicitation. All answers and interpretations shall be in writing from the Bid Manager. Neither the PECFA program nor Commerce shall be legally bound by any amendments or interpretations that are not in writing. Bidders are not to contact other personnel located within the Department of Commerce/Bureau of PECFA concerning the site or the bid solicitation between the Bid Announcement Date and Bid End Date. No further questions will be addressed after the deadline for submitting questions identified in Section 1.

SECTION 4 - Conditions of Bid

The successful bidder will be the entity that complies with all provisions of the bid and provides the lowest total cost, excluding interest, for the site-specific bid requirements described in Section 2. In preparing the bid, the bidder must assume compliance with all applicable codes, including, but not limited to, §Comm 46, §Comm 47, and §NR 700 Wis. Admin. Codes.

The bid Commerce selects to determine the least costly method of remedial action will be the least costly qualified bid. Commerce will rank the bids solely on the basis of cost. Evaluation of bids will continue until the least costly qualified bid is identified. Submittals from an individual or firm during their period of disqualification from bidding, submittals received late and for submittals without a certified commitment (performance assurance and/or signature) will not be considered as bids. Commerce may disqualify a bid for the following reasons:

- Requirements of the bid specifications have not been met.
- The remedial strategy is not appropriate to the geologic setting.
- A Total Bid Amount is insufficient to fund the activities described in the bid specifications.

Commerce reserves the right to reject any and all bids.

Any proposed technology or methods used in the remediation must be allowed for use in the State of Wisconsin and approvable by the agency with jurisdiction (Natural Resources or Commerce).

The bidder Commerce intends to select may be required to provide input to and attend a meeting with the PECFA program and the claimant to explain the bid and remedial approach.

If a bid is disqualified, Commerce will provide written notification to any individual or firm that submitted a disqualified bid. The notification shall specify the reasons for the disqualification, and inform the individual or firm of their right to protest or appeal the decision. If a bid is more costly than the bid Commerce intends to select, the bid will not be reviewed.

The *Notice of Intent* will identify the least costly bid, disqualified bid(s) and bid(s) not reviewed. The *Notice of Intent* will be sent to the RP and will be posted on PECFA's Internet Web site.

SECTION 5 - Instructions to Bidders

Between the bid start and end dates, bidders shall not discuss or attempt to negotiate any aspects of the bid with the RP, other potential bidders or program staff without prior approval of the Bid Manager identified in Section 1. Infractions will result in rejection of the violator's bid and may result in a formal complaint being filed with the Department of Regulation and Licensing.

If access to the site is necessary for the preparation of a bid, access shall be arranged through the Bid Manager. If the Bid Manager is not able to arrange site access, this will not delay the bid process nor negate the comparison and selection from among the bids submitted. All costs associated with a site visit or preparation of a bid will be the bidder's responsibility.

The Bidding Process must conform to the following:

1. The Bid Response shall address all the site-specific bid requirements identified in Section 2.
2. The total bid amount to accomplish the stated goal must include all fees, reporting costs, pre- and post-closure costs and costs for establishing restrictions or institutional controls, when applicable (interest costs are excluded).
3. The submittal must include a copy of the Bid Response document signed by a Professional Engineer, Professional Geologist, Hydrologist or Soil Scientist licensed by the State of Wisconsin. The appropriate registration number of the professional license must be included. Registration requirements are listed in Comm 5.
4. Bids *cannot* be faxed or sent electronically (email) to the program. Documents received by fax or email will not be considered.
5. Bids, amendments thereto or withdrawal requests must be received by 4 pm on the bid end date.
6. The consulting firm's name must be included and all pages of the Bid Response.
7. All costs must be printed (ink, typewritten or computer). Errors must be crossed out, corrections entered and initialed by the person signing the bid. Correction fluid is not allowed. No bid shall be altered or amended after the time specified for the bid end date.
8. Each bidder shall fully acquaint themselves with conditions relating to the scope and restrictions attending to the execution of the work under the conditions of this

bid. The failure of a bidder to acquaint themselves with existing documented conditions shall in no way relieve any obligation with respect to this bid.

9. All amendments to and interpretations of this bid shall be in writing from the Bid Manager. Neither Commerce nor the program shall be legally bound by any amendment or interpretation that is not in writing.
10. This bid is intended to promote competition. If the language, specifications, terms and conditions, or any combination thereof restricts or limits the requirements in this bid to a single source, it shall be the responsibility of the interested bidders to notify the program in writing so as to be received five days prior to the opening date. The bid may or may not be changed; however a review of such notification will be made prior to award.

SECTION 6 - Bidder Disqualification

Commerce may disqualify from public bidding any individual or firm that has committed any of the following (Comm 47.67 (1) (a)):

1. Failed to complete the scope of work within the reimbursement cost cap established through public bidding.
2. Failed to complete the scope of work in a bid in a timely manner.
3. Failed to follow DNR rules on the bid project.
4. Received one or more notices from Commerce under s. Comm 47.62 (2) that assess the financial management of an investigation as unacceptable.
5. In any prior occurrence that has been publicly bid, failed to do either of the following:
 - a. Pay subcontractors after receiving payment for them.
 - b. Obtain lien waivers on or before the date of the final payment by the RP or the PECFA program, from all subcontractors paid under subd. 5. a.
6. Failed to execute a contract with the RP as required in s. Comm 47.69 (1).
7. Failed to commence work within 45 days after executing a contract, as required in s. Comm 47.69 (3).

Commerce may disqualify any individual or firm from performing further work on a project if the individual or firm has not completed any of the six reporting points required in Comm 47.70 and outlined in Section 2 of this bid document. Commerce will review and address the issue as stated in Comm 47.70 (4).

BID RESPONSE

(1st Page)

Department of Commerce PECFA Program

SITE NAME: Slinger Service

COMMERCE #: 53086-9547-05

BRRTS #: 03-67-000972

Submit Bid Response To: Cathy Voges
Public Bid Response
Department of Commerce PECFA Bureau
201 W Washington Ave, Madison WI 53703-2760 or
PO Box 8044, Madison WI 53708-8044

Consulting Firm Name: _____

Complete Mailing _____

Address: _____

Telephone: () - _____

Fax Number: () - _____

E-mail Address: _____

Bidder (check one that applies):

<input type="checkbox"/>	Professional Engineer	License # _____
<input type="checkbox"/>	Professional Geologist	License # _____
<input type="checkbox"/>	Hydrologist	License # _____
<input type="checkbox"/>	Soil Scientist	License # _____



Use this box to certify (by marking with a check or X) a commitment to complete the work described in the bid specifications in its entirety for the Total Bid Amount proposed below. Failure to provide this performance assurance will disqualify this bid response. Providing unsolicited qualifications and/or contingency statements in your bid submittal will disqualify the bid response.

Total Bid Amount: \$ _____

Print Name: _____

Title: _____

I certify that I have the authority to commit my organization or firm to the performance of the bid I have submitted.

Signature: _____

BID RESPONSE**(2nd Page)**

Department of Commerce PECFA Program

SITE NAME: Slinger Service**COMMERCE #: 53086-9547-05****BRRTS #: 03-67-000972****Consulting Firm Name:** _____

A bid will be considered non-compliant if the bid response does not include a separate tabulation of costs for each activity.

1a	Install and sample 10 direct-push borings to 12 feet bgs. Submit soil samples for lab analysis of PVOCs + naphthalene.	\$
1b	Install, develop and sample (PVOC + naphthalene) mini-wells in each of the borings.	\$
2a	Monitor for petroleum product on a monthly basis for 6 months.	\$
2b	Collect soil, LNAPL, and groundwater samples for lab analysis of select fluid physical parameters.	\$
3	Private potable well search and utility evaluation.	\$
4	Two quarters of groundwater sampling from 13 groundwater monitoring wells and laboratory analysis of PVOCs + naphthalene and three dissolved lead.	\$
5a	Waste disposal – soil (assume 1 drum).	\$
5b	Waste disposal – water (assume 3 drums).	\$
6	Technical report preparation & Web reporting.	\$
	PECFA claim preparation.	\$
	Total Bid Amount	\$
CONTINGENCY COSTS (Will be Approved and Added to the Bid Cap as Needed)		